

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT BARGHOORN,

Plaintiff,

vs.

FCA US LLC; and DOES 1 through 10,
inclusive

Defendants.

Case No. 1:23-cv-00817-KES-CDB

ORDER REGARDING REQUEST FOR
ENTRY OF JUDGMENT PURSUANT TO
FED. R. CIV. P. 68(a)

(Doc. 14)

ORDER REGARDING PLAINTIFF'S
ATTORNEY'S FEES, COSTS, AND
EXPENSES

(Docs. 16, 18)

On December 21, 2023, Plaintiff Robert Barghoorn filed a request for entry of judgment pursuant to an offer of judgment under Federal Rule of Civil Procedure 68. Doc. 14.

Under Federal Rule of Civil Procedure 68(a), a defendant may serve an offer to allow judgment on specified terms to the opposing party at least 14 days before trial. Fed. R. Civ. P. 68(a). Any acceptance by the opposing party of the offer must be made through written notice. *Id.* Thereafter, "either party may then file the offer and notice of acceptance, plus proof of service." *Id.*

Defendant FCA US LLC served Plaintiff with a Rule 68 offer of judgment in the amount of \$130,067.20. Doc. 14 at 4. The offer also provided for reasonable attorneys' fees and costs in an amount to be determined by the Court. *Id.* at 5. Plaintiff accepted the offer in writing on September 21, 2023. *Id.* at 6. Defendant has not opposed Plaintiff's request for entry of judgment.

On January 25, 2024, the parties filed a stipulation asking the Court to retain jurisdiction

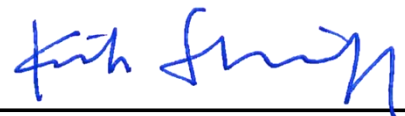
1 until Plaintiff's attorney's fees, costs, and expenses were decided. Doc. 16. On April 25, 2024,
2 the parties filed a stipulation regarding Plaintiff's fees, costs, and expenses. Doc. 18. Pursuant
3 to the stipulation, FCA US LLC will pay \$17,500.00, by June 25, 2024, to resolve Plaintiff's
4 attorneys' fees, costs, and expenses.

5 Accordingly,

- 6 1. The Clerk of the Court is directed to enter judgment in favor of Plaintiff Robert
7 Barghoorn and against Defendant FCA US LLC in the amount of \$130,067.20,
8 pursuant to the terms of the Rule 68 offer (Doc. 14).
- 9 2. Defendant is directed to pay Plaintiff \$17,500.00 in attorneys' fees, costs, and
10 expenses pursuant to the parties' stipulation (Doc. 18). Payment is to be made to
11 counsel for Plaintiff by June 25, 2024.
- 12 3. The Court shall retain jurisdiction over this action for 90 days from the date of
13 this Order, pending satisfaction of payment of Plaintiff's attorney's fees, costs,
14 and expenses;
- 15 4. Plaintiff shall file a notice of dismissal of this case with prejudice by July 11,
16 2024.

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19 IT IS SO ORDERED.

20 Dated: April 30, 2024



UNITED STATES DISTRICT JUDGE